

RESOLUTION NO. 79-87

RESOLUTION REGARDING FEES PROPOSED TO
BE IMPLEMENTED BY THE SAN JOAQUIN
LOCAL HEALTH DISTRICT

WHEREAS, as a result of Article XIII A of the California Constitution, commonly known as "Proposition 13", the San Joaquin Local Health District is in critical financial straits; and

WHEREAS, the San Joaquin Local Health District has imposed service fees prior to the addition of Article XIII A to the Constitution of the State of California; and

WHEREAS, in the absence of collateral funding by the State of California Legislature from tax reserves previously exacted from the People of the State of California, the San Joaquin Local Health District is attempting to expand its scope of operation in order to execute health and environmental promulgations mandated by the State of California; and

WHEREAS, the San Joaquin Local Health District estimates that the proposed fees will raise between \$500,000.00 and \$750,000.00 from business entities in San Joaquin County, and that these amounts will not be sufficient to sustain the District's financial needs; and

WHEREAS, Article XIII A Section 4 of the Constitution of the State of California specifically and expressly prohibits any county, city, or special district to levy any fees in the absence of a favorable vote of two thirds of the qualified electorate;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi does hereby determine that it is imperative to

receive the opinion of the Attorney General on whether or not said proposed fees will violate the substantive law created in Constitutional Article XIII A, Section 4, before adopting said proposed fees;

BE IT FURTHER RESOLVED, that the City Council of the City of Lodi does hereby determine that the proposed fees will immediately be levied to the general public who have already paid sufficient taxes to sustain governmental endeavors;

BE IT FURTHER RESOLVED, that the City Council of the City of Lodi does hereby urge the San Joaquin County Board of Supervisors to reject the subject fee proposal in its entirety;

BE IT FURTHER RESOLVED, that the City Council of the City of Lodi does hereby urge the Board of Supervisors to send an urgent message to California State Legislators requesting immediate financial bailout or State loans to sustain the San Joaquin Local Health District;

BE IT FURTHER RESOLVED, that the City Council of the City of Lodi does hereby urge the Board of Supervisors to appoint a committee including at least one elected city councilman from each incorporated area in San Joaquin County to work with the San Joaquin Local Health District in a streamlining program;

BE IT FURTHER RESOLVED, that the City Council of the City of Lodi does hereby urge that the Board of Supervisors direct the Local Health District to reject any and all further health or environmental enforcement mandates in the absence of full funding necessary to implement the administration and enforcement of said mandates.

Dated: June 20, 1979

I hereby certify that Resolution No. 79-87 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 20, 1979 by the following vote:

Ayes: Councilmen - Hughes, McCarty, Pinkerton and
Katzakian

Noes: Councilmen - None

Absent: Councilmen - Katnich


ALICE M. REIMCHE
CITY CLERK